

**Notice of Allowability**

Application No.

10/649,344

Examiner

Naoko Slack

Applicant(s)

SCHIPANI ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone interview on August 16, 2005.
2. ☒ The allowed claim(s) is/are 4,11,18,21,22 and 24-36.
3. ☒ The drawings filed on 24 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Lasky on August 16, 2005. The application has been amended as follows:

Claims 23 and 14 have been canceled.

In claim 30, line 1, "23" has been changed to -- 21 --.

Claims 4, 11, 21, 26, 35, and 36 have been amended as follows:

Claim 4 has been amended to:

-- A foldable truss member comprising:  
a plurality of adjacently connected side members together forming a peripheral boundary of the truss member, each side member comprising:  
    an elongated support member having a side surface;  
    a bridging member hingedly connected to the side surface of the support member at an attachment point of the support member, the bridging member having an extension at an edge of the bridging member opposite the attachment point; and  
    a plurality of hinge members pivotally joining the extension of each side member to a support member of an adjacent side member, each hinge member having

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surfaces frictionally engaging the bridging members and a channel for said bridging member and wherein said support member forms a pad of the hinge together with said channel which captures said bridging member, thereby allowing relative rotation of adjacent side members, a plurality of edges between adjacent side members defining a plurality of corners of the truss member. - -

Claim 11 has been amended to:

- - A foldable truss member, comprising:

a plurality of side members each having at least four sides including two adjacent side edges, the side members adjacently arranged so that the side edges of the four adjacently arranged sides define a closed shape; and

a plurality of hinges affixed to each of the two adjacent edges of each side member, the hinges allowing relative rotation between adjacently arranged side members so that the side member means are foldable into a substantially flat assembly, the side edges of the side member means defining a plurality of corners of the truss member, wherein the hinges comprise surfaces frictionally engaging the bridges, and the hinges are fixedly connected to the side members. - -

Claim 18 has been amended to:

- - A method of operating a foldable truss member

capable of moving from a substantially flat to an open deployed position, comprising:

adjacently bridging a plurality of side members to form a peripheral boundary for

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each of the truss members, each of the side members including an elongated edge hingedly attached to an adjacent side member, the elongated edges of the side members defining a plurality of corners of the truss member;

rotating the adjacent side members about the elongated edges to put the side members of the truss member in a deployed configuration; and

creating a variable rotational resistance between said side members so that it is necessary to overcome a holding force when said truss member is in a deployed position and is being moved toward a folded position, to generally maintain said truss in a deployed position. - -

Claim 21 has been amended to:

- - A foldable truss member moveable between a substantially folded and open deployed positions, comprising:

a plurality of adjacently connected side members together forming a peripheral boundary of the truss member, each side member comprising:

an elongated support member having a side surface;

a bridging member hingedly connected to the side surface at an attachment point of the support member,

a plurality of hinge members pivotally joining the bridging member to the support member and an adjacent side member, each hinge member allowing relative rotation of the side members

at least one of said hinge members having a center portion configured to tend to

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maintain said bridging member in a position corresponding to the deployed position of said truss member by virtue of said hinge member providing less resistance to rotation in said center portion and greater resistance to rotation elsewhere, so that when said truss system is deployed, it will tend to stay in a deployed state. - -

Claim 26 has been amended to:

- - The truss member according to claim 21, wherein the block member includes a generally U-shaped channel for said bridging member and where said channel is radiused to provide rotational resistance between said channel and said bridging member. - -

Claim 35 has been amended to:

- - A foldable truss member moveable between a substantially folded and open deployed positions, comprising:

    a plurality of adjacently connected side members together forming a peripheral boundary of the truss member, each side member comprising:

        an elongated support member having a side surface;

        a bridging member hingedly connected to the side surface at an attachment point of the support member,

        at least one hinge member pivotally joining the bridging member to the support member and an adjacent side member, said hinge member allowing relative rotation of the side members

said at least one hinge member having a center portion being configured to tend to maintain said bridging member in a position corresponding to the deployed position of said truss member by virtue of said member providing less resistance to rotation in said center portion and greater resistance to rotation elsewhere, so that when said truss system is deployed, it will tend to stay in a deployed state. - -

Claim 36 has been amended to:

- - A foldable truss member moveable between a substantially folded and open deployed positions, comprising:

a plurality of adjacently connected side members together forming a peripheral boundary of the truss member, each side member comprising:

an elongated support member having a side surface;

a bridging member hingedly connected to the side surface at an attachment point of the support member,

at least one first and second hinge members pivotally joining the bridging member to the support member and an adjacent side member, said hinge member allowing relative rotation of the side members

said at least one first hinge member having a center portion being configured to tend to maintain said bridging member in a position corresponding to the deployed position of said truss member by virtue of said hinge member providing less resistance to rotation in said center portion and greater resistance to rotation elsewhere so that when said truss system is deployed, it will tend to stay in a deployed state and

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said at least one second hinge member being substantially free-swinging. - -

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose telephone number is (571) 272-6848. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Naoko Slack', with a long horizontal stroke extending to the right.

Naoko Slack  
Primary Examiner  
Art Unit 3635

NS  
August 16, 2005